

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SCOTT FAPPIANO,

Plaintiff,

## NOTICE OF MOTION

-against-

07-CV-2476 (SLT) (SMG)

THE CITY OF NEW YORK, et al.,

Defendant(s).

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PLEASE TAKE NOTICE, that upon the annexed declaration of Arthur G. Larkin, Esq., dated July 8, 2010, and the exhibits thereto, the declarations of Chester Stoyeck and Suzanne Melendez, the memorandum of law submitted herewith, defendants' Statement Pursuant to Local Civil Rule 56.1, and upon all prior pleadings and proceedings had herein, defendants will move this Court, Hon. Sandra L. Townes, at the Courthouse, 225 Cadman Plaza East, Brooklyn, New York 11201, on a date and time to be determined by the Court, for an order pursuant to Rule 56(c) granting summary judgment dismissing the complaint in its entirety.

Dated: New York, New York  
July 8, 2010

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